

REQUEST	Current zoning: B-2(CD), general business, conditional district, CC, commercial center Proposed zoning: B-2(CD) general business, conditional and B-2(CD) S.P.A., general business, conditional, site plan amendment, CC, commercial center, and CC S.P.A., commercial center, site plan amendment, Lower Lake Wylie Protected Area.
LOCATION	Approximately 70.91 acres located on the southwest quadrant of the Mount Holly Road / I-485 Interchange
SUMMARY OF PETITION	The petition proposes to amend the previously approved site plan to allow for a minor reduction in the number of townhome units and changes to the overall square footage permitted for the retail/restaurant, office and automotive sales uses. While a slight increase in the maximum square footage for retail and restaurant uses is sought, the proposed amount of square footage for office and automotive sales has decreased. No changes are proposed for the hotel use.
STAFF RECOMMENDATION	The petition is consistent with the land use recommendations set forth in the <i>Mount Holly Road Special Project Plan (1994)</i> , which was amended by a rezoning in 2005 from single family residential, multi-family residential and industrial uses to include retail uses. Due to the minor nature of the requested changes, some of which result in less square footage than what is currently approved, staff recommends approval of the petition, upon resolution of the outstanding site plan issues.
Property Owner Petitioner	Mt. Holly Developers, LLC; Lockard Reed Development Group, LLC Locomotive Land Co., Lockard Reed Development Group and Mt. Holly Developers, LLC
Agent/Representative	Larry Fraser, Woolpert, Inc.
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- Proposed Request Details**

The existing site plan allows a maximum of 140,000 square feet to be occupied by one single tenant. The proposed plan seeks to permit the 140,000 square feet to be distributed in a series of smaller buildings if a single tenant building is not constructed. In addition to this change, the following table compares the approved uses with those proposed by this petition:

Use	Currently Approved	Proposed
Townhomes	81 units	80 units
Retail and restaurants	306,400 square feet	323,800 square feet
Hotel	100-rooms, Maximum of 37,000 square feet	100-rooms, Maximum of 37,000 square feet
Office	62,000 square feet	23,850 square feet of office with an option to convert 30,000 square feet of retail to office
Automotive Sales	150,000 square feet	70,000 square feet

Existing Zoning and Land Use

The subject properties are zoned B-2(CD) and CC and are vacant. Surrounding land uses on the north side of Mount Holly Road include single family and multi-family residential, warehouses and vacant lots in R-3, R-4(CD), R-5, MX-2 (Innovative), NS and I-1. Parcels south of Mount Holly Road are zoned single family residential, MX-2 and I-1 and are developed with single family and light industrial uses or are vacant.

Rezoning History in Area

Petition 2005-150 included the petitioned site and rezoned approximately 131.26 acres located north and east of Rhyne Road and south of Mount Holly Road to B-2(CD), MX-2 and CC. Petition 2005-006 rezoned 13.4 acres located south of Tom Sadler Road from R-4 to MX-1(INNOV) for a single family residential development. North of Mount Holly Road, Petition 2003-88 rezoned approximately 91 acres to NS to allow for a mixture of retail, office, and residential land uses. Approximately 81.5 acres east of I-485 along Moore's Chapel Road were rezoned from R-17MF to R-8 and R-5 per corrective rezoning Petition 2003-74.

Public Plans and Policies

Previously, the *Mt. Holly Road Special Project Plan* (1994) recommended single family, multi-family, and industrial land uses up to four dwelling units per acre for the subject property. However, a rezoning petition that was approved in 2005 amended the adopted land use to allow retail land uses. The proposed petition is consistent with the adopted land use plans.

PUBLIC INFRASTRUCTURE (see full department reports online)**Vehicle Trip Generation**

Current Zoning: 20,900 trips per day
Proposed zoning: 19,000 trips per day

CDOT: A Traffic Impact Study was prepared for the proposed development as part of rezoning petition 2005-150. Provided that the phasing and mitigation improvements required in the existing approved conditional site plan are included as part of this site plan amendment, CDOT is satisfied that the transportation impacts of the proposed developed have been addressed.

Charlotte Fire Department: No comments received.

CATS: No comments received.

Connectivity: Access to the site will be provided by a private road and two public roads along Rhyne Road. An interior sidewalk system will provide pedestrian circulation throughout the site and connect to the exterior sidewalk along Rhyne Road.

Schools: Charlotte-Mecklenburg Schools had no comment on the petition, which proposes a slight decrease from the 81 townhome units previously approved under Petition 2005-150.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: The petitioner shall comply with the Charlotte City Council approved and adopted Post construction Controls Ordinance.

LUESA: Mecklenburg County Solid Waste requests that the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities. No grading activity should be conducted until the on-site wells are either properly abandoned or the wellheads cordoned off to protect them from damage. Ground Water Services recommends that the septic tanks be pumped by a licensed waste hauler to removal any residual contents, and then crushed and backfilled.

Site Design:

The site facilitates the use of alternative modes of transportation through the interconnected sidewalk system.

OUTSTANDING ISSUES

1. The petitioner should provide a landscaped setback along Rhyne Road.
 2. The petitioner should clarify the square footages for retail and restaurant as they do not match the maximum square footage listed on sheet TDS-2.
 3. The petitioner should add connected sidewalks through the parking lot between car dealerships.
 4. The petitioner should amend Note 4 under Sidewalks and Internal Streets to specify street trees will be 40 feet on center.
 5. The petitioner should amend Note 5 under Buffers to state that a Class B buffer will be maintained along the southern property line for the B-2(CD) zoning.
 6. The petitioner should provide a landscape treatment, such as a wall/fence, trees, and shrubs, along Public Road B if townhomes do not front Public Road B.
 7. The petitioner should provide internal sidewalk connections from townhomes to Public Road B.
 8. The site plan should indicate a 25-foot Class B buffer between the townhomes and the commercial outparcel.
 9. The petitioner should show the proposed streetscape treatment in the multi-family component.
 10. The petitioner should add note that allows a sign flex option.
 11. The petitioner should add a note relating to vacancy mitigation measures.
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Attachments Online at www.rezoning.org

Application Form
Site Plan
CDOT Review
Charlotte Mecklenburg School Review
Storm Water Review
Community Meeting Report

Planner: Sonja Sanders (704)-336-8327